

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

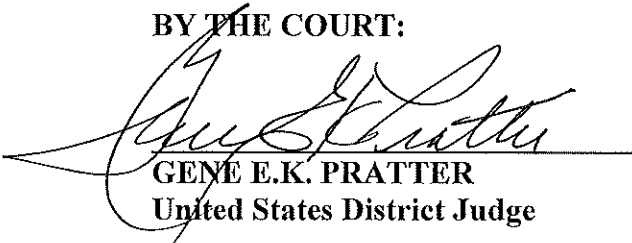
BLAKE MODLIN,	:	
<i>Plaintiff</i>	:	CIVIL ACTION
	:	
v.	:	
	:	
PIAZZA MANAGEMENT	:	No. 23-279
COMPANY <i>et al.</i>	:	
<i>Defendants</i>	:	No. 23-4043

**ORDER**

AND NOW, this 7<sup>th</sup> day of November 2023, upon consideration of Mercedes Benz USA's Motion to Dismiss the Complaint (Doc. No. 9), Motion to Dismiss the Amended Complaint (Doc. No. 13), Ms. Modlin's Response in Opposition (Doc. No. 14), oral argument held on October 31, 2023, and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that the Motion to Dismiss the Complaint (Doc. No. 9) is **DEEMED MOOT** and the Motion to Dismiss the Amended Complaint (Doc. No. 14) is **DENIED without prejudice**.

It is **FURTHER ORDERED** that the Complaint in Civil Action No. 23-4043 is **DISMISSED without prejudice**. Ms. Modlin may seek to amend the Complaint in Civil Action No. 23-279 to include additional claims based on events that occurred after the filing of the First Amended Complaint.

BY THE COURT:

  
GENE E.K. PRATTER  
United States District Judge